

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/6/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SQUAREX PHARMACEUTICAL
CORPORATION, *formerly known as* SQUAREX
LLC,

Plaintiff,

-against-

SPARTAN CAPITAL SECURITIES LLC, *a division*
of SPARTAN CAPITAL HOLDINGS, LLC,

Defendant.

1:24-cv-06880-MKV

ORDER TO SHOW CAUSE

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on November 11, 2024. [ECF No. 1.] Plaintiff filed an affidavit of service of summons and complaint on September 19, 2024. [ECF No. 6.] According to that summons, Defendant's response to the complaint was due on October 10, 2024. No response was filed.

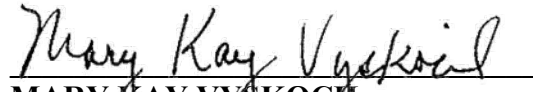
On December 11, 2024, the Court issued an Order, directing Plaintiff to show cause "why this case should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure" and putting Plaintiff "on notice that it is ultimately responsible for prosecuting its case." [ECF No. 8]. To date, no responses have been filed and Plaintiff has not prosecuted this case

Accordingly, IT IS HEREBY ORDERED that, by February 17, 2025, Plaintiff shall file a letter showing cause why this case should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff is on notice that it is ultimately responsible for prosecuting his case, and this case may be dismissed because of her chosen counsel's failure to prosecute her case. *See Link v. Wabash R. Co.*, 370 U.S. 626, 633–34 (1962); *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

Plaintiff is reminded that failure to comply with this Order or with any order of the Court or failure to comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or the parties' discovery or other obligations thereunder may result in sanctions, including monetary penalties on counsel and/or the parties, dismissal or preclusion of claims, defenses, arguments, or evidence.

SO ORDERED.

Date: January 6, 2025
New York, NY



MARY KAY VYSKOCIL
United States District Judge